

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>SHARIFF BLACKWELL,</b>	:	
<b>Plaintiff,</b>	:	
<b>v.</b>	:	<b>CASE NO. 14-878</b>
	:	
<b>ALLSTATE INSURANCE CO.,</b>	:	
<b>Defendant.</b>	:	
	:	

**ORDER**

**AND NOW**, this 3<sup>rd</sup> day of September 2014, upon consideration of Defendant's Motion to Dismiss the Amended Complaint [Doc. No. 7], and Plaintiff's Response thereto [Doc. No. 8], and for the reasons set forth in the accompanying Memorandum Opinion, it is hereby **ORDERED** that Allstate's Motion is **GRANTED** as to Plaintiff's breach of contract and common law bad faith claims, and **DENIED** without prejudice as to Plaintiff's statutory bad faith claim. Plaintiff's breach of contract and common law bad faith claims are dismissed with prejudice, as the former is time barred and the latter merges with the former as a matter of law, and further amendment of the complaint would not cure these deficiencies.

It is so **ORDERED**.

**BY THE COURT:**

/s/ Cynthia M. Rufe

\_\_\_\_\_  
**CYNTHIA M. RUFÉ**